ZANDRA L. LOPEZ
California Bar No. 216567
427 C Street, suite 300
San Diego, Ca. 92101
619.233.3169, ext. 17
fax: 619.684.3522
zll@zandralopezlaw.com

Attorney for **Mr. Nicolas Cesareo**

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

(**HONORABLE THOMAS J. WHELAN**)

UNITED STATES OF AMERICA, Plaintiff, v. NICOLAS CESAREO, Defendant.	CASE NO. 08CR0201-W DATE: May 12, 2008 TIME: 2:00 p.m. NOTICE OF MOTIONS AND MOTION TO DISMISS THE INDICTMENT DUE TO AN INVALID DEPORTATION

TO: KAREN P. HEWIT, UNITED STATES ATTORNEY, AND THE ASSISTANT UNITED STATES ATTORNEY:

PLEASE TAKE NOTICE that on May 12, 2008, at 2:00 p.m. or as soon thereafter as counsel may be heard, the defendant, Zandra L. Lopez, by and through counsel, Zandra Lopez, will ask this Court to enter an order granting the following motions.

MOTIONS

The defendant, Nicolas Cesareo, by and through counsel, Zandra Lopez, pursuant to the United States Constitution, the Federal Rules of Criminal Procedure, and all other applicable statutes, case law and local rules, hereby moves this Court for an order:

1) to dismiss the indictment due to an invalid deportation

These motions are based upon the instant motions and notice of motions, the attached statement of facts and memorandum of points and authorities, and all other materials that may come to this Court's attention at the time of the hearing on these motions.

Respectfully submitted,

//s// Zandra L. Lopez

Dated: April 29, 2008

ZANDRA L. LOPEZ
Attorney for Mr. Cesareo